

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

UNITED STATES OF AMERICA

v.

ROBERT M. RUMSBY,

Defendant

Crim. No. 19-MJ-1626

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, David R. Stupar, being duly sworn, hereby depose and state as follows:

1. I am a Special Agent with Office of Inspector General ("OIG"), National Archives and Records Administration ("NARA"). I have over 15 years of experience in criminal investigations with the Federal government and District of Columbia government. I have been involved in the investigation of thefts and the recoveries of historical federal documents and records.

2. This affidavit is being submitted in support of a criminal complaint for **Robert M. RUMSBY ("RUMSBY")**. As set forth below, there is probable cause to believe that between May 2013, and no later than November 26, 2016, in the District of Maryland, **RUMSBY** willfully and knowingly stole and converted for his use any record and thing of value of the United States and any department and agency thereof, to wit, U.S. servicemen dog tags and other records from NARA's Record Group 242, which in aggregate have a value greater than \$1,000 in violation of 18 U.S.C. § 641.

3. NARA is responsible for preserving and maintaining government and historical records and providing public access to such records. NARA has research facilities throughout

BY

AT GREENBELT
CLERK, U.S. DISTRICT COURT
DISTRICT OF MARYLAND

DEPUTY



the United States, including the National Archives at College Park, located at 8601 Adelphi Road, College Park, Maryland.

4. Members of the public can visit the National Archives at College Park and obtain a Researcher Identification Card to review records maintained by NARA. Generally, to review NARA records, a researcher must complete a records request. A NARA employee then retrieves the requested records from storage, and delivers the records to the researcher in the research room. Except in special circumstances not relevant here, a researcher may not remove records from the research room. Researchers may, however, photograph NARA records within the research room using digital cameras, cellular telephones with digital cameras, and other types of electronic recording devices.

5. Among the records stored at National Archives at College Park are records within Record Group ("RG") 242. RG 242, National Archives Collection of Foreign Records Seized, includes records of the German Luftgaukommandos during World War II. The Luftgaukommandos were the regional German Air Force commands whose responsibilities included the preparation of reports on Allied aircraft and aircrews that were shot down, or crash-landed, within their geographical boundaries.

6. An inventory of the NARA archives in College Park, Maryland, conducted on February 26, 2015, shows that dog tags belonging to World War II aviator Theodore Ream (Airman Ream), who was killed in an aircraft crash on May 27, 1944, was present in Box 247. On January 29, 2017, NARA staff investigating possible thefts of NARA artifacts discovered that the dog tags belonging to Airman Ream were no longer in Box 247. No one had permission to remove them. NARA records show that during that time period, the defendant **RUMSBY** was one of three people to access Box 247. He accessed the box on October 7, 2016.

7. In December 2018, while the NARA Chief Operating Officer (COO) had been searching the internet for the missing dog tag associated with Ream, he also noted that **RUMSBY** also accessed box 268 at NARA, which contained dog tags for Airman Albert J. Whitus, Airman John E. McKenzie, and Airman James F. McKee, who were aboard an airplane that crashed on July 21, 1944. The COO discovered that the dog tags belonging to these airmen, were present when Box 268 was inventoried in 2013, but were not present when the box was inventoried again in 2016. Other than the NARA personnel conducting these inventories, **RUMSBY** was the only person to access Box 268 during this time period. He accessed the box twice, on June 3, 2015 and on August 7, 2015.

8 **RUMSBY's** wife is the great niece of Airman Ream and the granddaughter of Airman Ream's sister and next of kin.

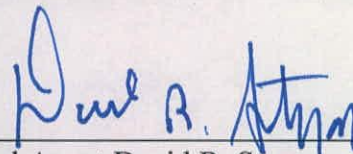
9. On April 4, 2019, members of law enforcement executed dual federal search warrants of **RUMSBY's** residence located in Fredericksburg, Virginia, and at his wife's grandmother's residence in Chesapeake, Maryland. Pursuant to the warrant, members of law enforcement found in **RUMSBY's** residence two dog tags belonging to Airman Whitus and Airman McKenzie. Pursuant to the warrant at Chloe KNIGHT'S residence in Chesapeake, Maryland, members of law enforcement recovered the dog tag of Airman Ream located in a shadow box.

10. On April 4, 2019, **RUMSBY** voluntarily and freely spoke with members of law enforcement. **RUMSBY** admitted, in relevant part, that he stole all four missing dog tags belonging to Airman Ream, Airman Whitus, Airman McKenzie, and Airman McKee from National Archives at College Park. The dog tag for Airman Ream was ceremonially placed in a shadowbox, along with other medals and ribbons and given to his wife's grandmother as a

Christmas gift in 2016. **RUMSBY** retrieved the stolen dog tags for Airman Whitus and Airman McKenzie from a shelf in the living room/study of his home residence during questioning. **RUMSBY** further admitted that he gifted Airman McKee's dog tag to McKee's relative. **RUMSBY** subsequently contacted this relative by telephone and the relative mailed the dog tag to NARA, where it was placed into evidence by law enforcement.

WHEREFORE, I submit there is probable cause to believe the defendant **RUMSBY** stole the four dog tags, which were the property of the United States.

I declare under the penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.



Special Agent David R. Stupar
National Archives and Records Administration
Office of Inspector General
301-837-2022

Subscribed and sworn to before me on May 7, 2019



JUDGE GINA L. SIMMS
UNITED STATES MAGISTRATE JUDGE